



032301WN190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Brigitte BATHE, et al.

Serial No. : 09/941,945

Filed: August 30, 2001

Examiner: K. Kerr

Group Art Unit: 1652

For : NUCLEOTIDE SEQUENCES CODING FOR THE sigD GENE

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicants are enclosing an Information Disclosure Citation Form (PTO-1449) that is supplemental to the Information Disclosure Statement filed in the above-identified patent application on April 15, 2002. This reference was inadvertently listed as "EP 108 790" on the Form PTO-1449 instead of "EP 1 108 790".

This reference (EP 1 108 790 A2) was originally submitted with the "Bulk Filing" Information Disclosure Statement filed in U.S. Patent Application Serial No. 09/954,197 on January 29, 2002. Therefore, a copy of this reference (which is 265 pages) is not being submitted herewith.

It is respectfully requested that the cited document be considered by the Examiner in the above-identified patent application and that the cited documents be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

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This Information Disclosure Statement is being filed before receipt of a first Office Action in the present application, and therefore it is believed that no fees are due under 37 C.F.R. Section 1.97(i).

Respectfully submitted,  
SMITH, GAMBRELL & RUSSELL, LLP

By:   


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